

175931



BellSouth Telecommunications, Inc.

Legal Department

1600 Williams Street

Suite 5200

Columbia, SC 29201

patrick.turner@bellsouth.com

Patrick W. Turner

General Counsel-South Carolina

803 401 2900

Fax 803 254 1731

September 23, 2005

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc.'s Petition for Review of NXX Code
Denial in the Charleston Rate Center
Docket No.

RECEIVED
2005 SEP 23 AM 8:35
SC PUBLIC SERVICE
COMMISSION

Dear Mr. Terreni:

Enclosed for filing are an original and ten copies of BellSouth Telecommunications Inc.'s Petition for Review of NXX Code Denial in the Charleston Rate Center in the above-captioned matter. By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner".

Patrick W. Turner

PWT/sgm
Attachment
DM5 603053

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

In Re: BELLSOUTH TELECOMMUNICATIONS, INC.'S
PETITION REQUESTING THE COMMISSION'S
INTERVENTION IN NANPA NXX CODE
ASSIGNMENTS

)
) DOCKET NO. 2005292C
)
)

PETITION FOR REVIEW OF NXX CODE DENIAL
IN THE CHARLESTON RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of BellSouth's application for use of central office code numbering resources in the 843 area code. The denial that is the subject of this Petition impacts BellSouth customer Trident Regional Medical Center.

In support of this petition BellSouth states:

1. BellSouth is a telecommunications utility regulated by the Commission. It provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Charleston exchange.
2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).
3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104"). The goal

RECEIVED
2005 SEP 23 4 06 PM
SC PUBLIC SERVICE
COMMISSION

of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at ¶ 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer's request with its current inventory of numbers in order for a code to be assigned.

5. This shift to a "rate center" basis from a switch basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." FCC 00-104, ¶ 105.

6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and

it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. Id.

7. On or about September 22, 2005, BellSouth submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of three consecutive thousand number blocks with the same NXX to go with the customer's existing dialing plan in the Charleston, South Carolina exchange. These numbers are needed to meet the numbering demands of Trident Medical Center. This customer is requesting additional PRI telephone numbers to work in conjunction with existing PRI numbers that terminate in the customer's PBX located at 9330 Medical Plaza Drive in Charleston. The hospital system is growing and expanding services. These numbers are needed for patients' rooms, clinical services, and hospital support services. As BellSouth does not have existing numbers to meet the customer's request, three new consecutive thousand number blocks with the same NXX are needed. Exhibit A is a copy of the customer's letter dated June 23, 2005.

8. BellSouth's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and BellSouth filled out the necessary Month-to-Exhaust Certification Worksheets as required.

9. At the time of the filing of the Code request, the Charleston Rate Center had an MTE of 11.18 months and a utilization of 72.57% (Exhibit B).

10. Thereafter, also on September 22, 2005, NPA's Central Office Code Administration denied BellSouth's request because BellSouth had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied

BellSouth's code requests despite the fact that BellSouth does not have adequate numbering resources needed to satisfy this customer's demands in the Charleston Rate Center. NANPA's response is also included as part of Exhibit B.

11. BellSouth's inability to provide this important customer with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the NXX thousand number blocks needed to meet the customer's request, BellSouth will be unable to provide telecommunications services requested by its customer.¹ NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

12. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

¹ BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

13. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, ¶ 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." Id.

14. BellSouth requests that the Commission reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

- a. NANPA's decision to withhold numbering resources from BellSouth interferes with BellSouth's ability to provide telecommunication services to its customers as required under South Carolina law; and
- b. BellSouth's request for numbering resources would not materially impact exhaustion of the remaining 64 NXXs available NXXs in the 843 area code.²

15. This Commission (see Docket No. 2002 –185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and

² This count is as of February 28, 2005, the most current data published by NANPA.

Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs.

WHEREFORE, BellSouth requests that the Commission:

1. Reverse the decision of NANPA to deny BellSouth's request for additional numbering resources;
2. Direct NANPA to provide three consecutive thousand number blocks for the Charleston, South Carolina Rate Center; and
3. Grant the requested relief as soon as possible.

Respectfully submitted this 23rd day of September 2005.



Patrick W. Turner
Suite 5200
1600 Williams Street
Columbia, South Carolina 29201
(803) 401-2900

ATTORNEY FOR BELL SOUTH
TELECOMMUNICATIONS, INC

EXHIBIT A

June 23, 2005

Yvonne White
Service Consultant, Bell South
1600 William Street
Suite 3400
Columbia, SC 29201

Re: Request for Block of Numbers

Dear Ms. White,

Trident Medical Center, LLC d/b/a Trident Health System would like to request a block of 3,000 telephone numbers. Specifically, we are requesting these numbers for the following reasons:

- Our hospital system is growing and expanding services that we provide. This growth rate requires approximately 100 additional phone numbers per year. The numbers are needed for patient rooms, clinical services, and hospital support services. These numbers terminate to the PRI (Primary Rate Interface) assigned to Trident Health System.
- We currently have 1,500 numbers in use, and we utilize three different prefixes. Naturally, we would prefer to have one prefix.
- We are currently planning and additional expansion of the campus of Trident Medical Center. This expansion will further the need for additional numbers and it is highly likely this would require the use of a fourth prefix.
- The block of 3,000 numbers would replace and release most of the 1,500 numbers presently assigned to Trident Health System.

Should you need any additional information, please do not hesitate to ask. I can be reached at (843) 797-4109. Thank you very much for your time and consideration of this request.

Sincerely,



Steve Burns,
Director
Information and Technology Services



Trident Medical Center
Summerville Medical Center
Colleton Medical Center
Arohdale Medical Center
Daniel Island Medical Center
Moncks Corner Medical Center
St. George Diagnostic Center
Facilities of Trident Medical Center

EXHIBIT B

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail

Address: https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Request Resources

Modify
Disconnect
Block Transfer

Confirm Block(s) in Service (Part 4)
Search Forms
Submit Forecast
User Profile
Donate Blocks
Reports

State: SOUTH CAROLINA
NPA: 843
Rate Center: CHARLESTON
OCN: 9417-BELLSOUTH SO BELL
Type of Application: Application for Individual Blocks
Quantity of Blocks Requested: 3

Continue Cancel

NOTE:
If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Question? E-mail us
© 1999-2005 Neustar, Inc.
Legal Notices Privacy Agreement

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail

Address: https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Part 1A

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile

Block Applicant :

Company Name: BELLSOUTH SO BELL
Headquarters Address: 3535 Colonnade Parkway
City: Birmingham
State: AL
Zip: 35243

Contact Name: Mr Christopher S Nelson
Contact Address: 3535 Colonnade Parkway
City: Birmingham
State: AL
Zip: 35243
Telephone: (205) 977-1696
E-mail: chris.nelson@bellsouth.com

Pooling Administrator :

Contact Name: Ms Dora Wirth
Contact Address: 1800 Sutter St. Ste. 780
City: Concord
State: CA
Zip: 94520
Telephone: (925) 363-8706
E-mail: dora.wirth@neustar.com

Question? E-mail us
© 1999-2005 Neustar, Inc.
Legal Notices Privacy Agreement

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

E-mail: dora.wirth@neustar.com

NEUSTAR

- Request For Resources
 - Modify
 - Disconnect
 - Block Transfer
- Confirm Block(s) in Service (P)
- Search Forms
- Submit Forecast
- User Profile
- Donate Blocks
- Reports

1.2 General Information

LRN Needed No

NPA 843 LATA 436

OCN 9417-BELL SOUTH SO BELL

Parent Company OCN 9417

Number of Thousands-Blocks Requested 3

Switch Identification (Switching Identity/POI) chnscdp82e City or Wire Center Name

Rate Center CHARLESTON Rate Center Sub Zone

1.3 Dates

Date of Application Thursday, September 22, 2005

Requested Block Effective Date 23 Oct 2005

Request Expedited Treatment ☒ Yes ☐ No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider Incumbent Local Exchange Carrier (ILEC)

b) Primary type of service Blocks to be used for Wireline

Question? E-mail us
© 1999-2005 Neustar, Inc.
Legal Notices Privacy Agreement

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

NEUSTAR

- Request For Resources
 - Modify
 - Disconnect
 - Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

Click here to see the available blocks in the pool.

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool)

1.5 Type of Request

Initial block for rate center ☐ Yes

Growth block for rate center ☒ Yes

Change block N/A

Disconnect block N/A

I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines INC 99-0127-023


Question? E-mail us
© 1999-2005 Neustar, Inc.
Legal Notices Privacy Agreement

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print

Address <https://www.nationalpooling.com/pas/frames-index.jsp> Links



Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Monthly Extension and Utilization Confirmation Worksheet - IN Progress

Date Thursday, September 22, 2005
OCN 9417
Company Name BELL SOUTH SO BELL
Rate Center CHARLESTON

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

Name of Block Applicant Mr Christopher S Nelson
Title Block Administration Specialist
Telephone Number (205) 977-1696
Fax Number (205) 977-3013
E-Mail chris.nelson@bellsouth.com

A. Available Numbers * 12429
B. Assigned Numbers * 395144
C. Total Numbering Resources * 544487
D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation * 0

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices Privacy Agreement


Done Internet

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print

Address <https://www.nationalpooling.com/pas/frames-index.jsp> Links



Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Monthly Extension and Utilization Confirmation Worksheet - IN Progress

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months² *

Month 1	818	Month 2	292
Month 3	766	Month 4	795
Month 5	565	Month 6	443

F. Forecast - Next 12 months³ *

Month 1	612	Month 2	3612
Month 3	612	Month 4	612
Month 5	612	Month 6	612
Month 7	612	Month 8	612
Month 9	612	Month 10	612
Month 11	612	Month 12	612

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 1112.000

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices Privacy Agreement

Done Internet

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print

Address https://www.nationalpooling.com/pas/frames-index.jsp

Month 11 612 Month 12 612

NEU STAR

Request For Resources

Modify

Disconnect

Block Transfer

Confirm Block(s) in Service (Part 4)

Search Forms

Submit Forecast

Create/Modify Forecast

User Profile

Donate Blocks

Reports

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 1112.000

H. Months to Exhaust ⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	Block Requested	Block Requested
1	12429	11.177
2	13429	12.076
3	14429	12.976

I. Utilization ⁵ (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 72.572

Explanation

1. A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

2. Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

3. Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

4. To be assigned an additional thousands-block (NXX-X) for growth. "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).

5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii)).

Show Calculations Continue Cancel

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices Privacy Agreement

Done

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print

Address https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

chris.neilson@bellsouth.com (SP) Sign Out

Months to Exhaust and Utilization Calculation Worksheet - TN Forecast (continued)

Your utilization calculates to 72.572 percent. The FCC requires a utilization of 75.000 percent.

Select One Option and Submit

☒ Return to the Months To Exhaust Form

☐ Discard all the information provided for the request and start with a fresh Part 1A

☐ Stale Waiver Option

Submit Cancel

Question? E-mail us
© 1999-2005 NeuStar, Inc.
Legal Notices Privacy Agreement

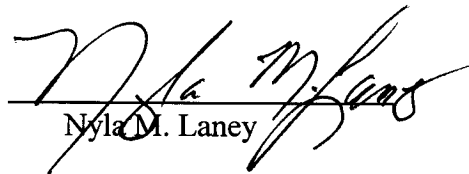
Done

CERTIFICATE OF SERVICE

Jocelyn G. Boyd, Esquire
Staff Attorney
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
jocelyn.boyd@psc.sc.gov
(U. S. Mail and Electronic Mail)

Joseph Melchers
Chief Counsel
S.C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(U.S. Mail and Electronic Mail)

Florence P. Belser, Esquire
General Counsel
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211
(U. S. Mail and Electronic Mail)



Nyla M. Laney

603054